

CONSOLIDATED CHECKLIST C6

Part 3 of 5 parts

Interim Status Standards for Owners and Operators of
Hazardous Waste Treatment, Storage, and Disposal Facilities
40 CFR Part 265, Subparts K-R, as of **December 31, 2002**

Note: Consolidated Checklist C6 is divided into five separate documents/computer files solely for ease of handling its printed and electronic versions. Consolidated Checklist C6 remains one checklist; States must adopt all five portions simultaneously to correctly use this Consolidated Checklist. Note, the prenotes and endnotes associated with each part have been placed with the part to which they apply.

Note: No final rules affecting 40 CFR Part 265, Subparts K-R, were promulgated between June 30, 2002 and December 31, 2002, therefore, this Consolidated Checklist corresponds to 40 CFR Part 265, Subparts K-R as published on July 1, 2002.

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
SUBPART K - SURFACE IMPOUNDMENTS							
APPLICABILITY							
surface impoundments used to treat, store, or dispose of hazardous waste	*	265.220					
DESIGN REQUIREMENTS							
1 surface impoundment units that must install two or more liners and a leachate collection and removal system between such liners and operate leachate collection and removal systems in accordance with 264.221(c), "construction commences" defined under "existing facility"	17 H,100	265.221(a)					
notify Regional Administrator; Part B application	17 H	265.221(b)					
†,2 when a replacement surface impoundment unit is exempt from 265.221(a):	17 H,100	265.221(c)					

CONSOLIDATED CHECKLIST C6
40 CFR Part 265, Subparts K-R, as of June 30, 2001 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
constructed in compliance with RCRA 3004(o)(1)(A)(i) and (o)(5) design standards	100	265.221(c)(1)					
no reason to believe liner is not functioning as designed	100	265.221(c)(2)					

†,3 Waiver From Double Liner Requirements

conditions for waiving 265.221(a)	17 H	265.221(d)					
	17 H,74	265.221(d)(1)					
	17 H	265.221(d)(2)(i)(A)					
		265.221(d)(2)(i)(B)					
		265.221(d)(2)(i)(C)					
		265.221(d)(2)(ii)					

† first permit must honor liner system installed pursuant to 265.221(a), except if leaking

17 H

265.221(e)

4 60 cm of freeboard required

IV B,†15, 100

265.221(f)

†,4 condition for variance from 60 cm of freeboard

15,100

265.221(g)

surface impoundments newly subject to RCRA §3005(j)(1) must be in compliance with 265.221(a),(c)&(d) no later than 48 months after additional characteristic or listing promulgation; Part 268 land disposal prohibitions or an extension to an effective date, within the 48-month

109

265.221(h)

CONSOLIDATED CHECKLIST C6
40 CFR Part 265, Subparts K-R, as of June 30, 2001 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
period, shall not cut short compliance period							

4 ACTION LEAKAGE RATE

proposed action leakage rate to Regional Administrator when submitting 265.221(b) notice; within 60 days of receipt, Regional Administrator will establish action leakage rate or extend review period; when the proposed rate will be approved	100	265.222(a)					
Regional Administrator approval of action leakage rate for 265.221(a) units; definition of action leakage rate; adequate safety margin	100	265.222(b)					
how to determine if action leakage rate has been exceeded; unless another calculation approved, average daily flow rate calculated weekly during active life and closure period, and monthly during post-closure care period	100	265.222(c)					

5 CONTAINMENT SYSTEM

protective cover required for earthen dikes	IV B	265.223					
---	------	---------	--	--	--	--	--

5 RESPONSE ACTIONS

if unit subject to 265.221(a), then must submit a response action plan to the Regional	100	265.223(a)					
--	-----	------------	--	--	--	--	--

CONSOLIDATED CHECKLIST C6
40 CFR Part 265, Subparts K-R, as of June 30, 2001 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
Administrator when submitting 265.222 proposed action leakage rate; must set forth actions to be taken if action leakage rate is exceeded; content as specified in 265.223(b)							
responsibilities if flow rate into leak detection system exceeds the action leakage rate for any sump:	100	265.223(b)					
notify Regional Administrator in writing within seven days of determination	100	265.223(b)(1)					
preliminary assessment to Regional Administrator within 14 days of determination; what assessment must address	100	265.223(b)(2)					
determine location, size and cause of any leak	100	265.223(b)(3)					
determine 1) whether waste receipt should cease or be curtailed, 2) whether waste should be removed for inspection, repairs, or controls, and 3) whether unit should be closed	100	265.223(b)(4)					
determine short- and longer-term actions to mitigate or stop any leaks	100	265.223(b)(5)					
within 30 days after Regional Administrator notification, submit the results of 265.223(b)(3)-	100	265.223(b)(6)					

CONSOLIDATED CHECKLIST C6
40 CFR Part 265, Subparts K-R, as of June 30, 2001 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
(5) analyses, the results of actions taken, and actions planned; thereafter, as long as flow rate exceeds action leakage rate, monthly report to Regional Administrator summarizing results of remedial actions taken and actions planned							
how the 265.223(b)(3)-(5) determinations must be made:	100	265.223(c)					
assess the source of liquids and amounts by source	100	265.223(c)(1)(i)					
conduct analyses of liquids in leak detection system to identify sources of liquids and location of leaks, and the hazard and mobility of the liquid	100	265.223(c)(1)(ii)					
assess seriousness of leaks	100	265.223(c)(1)(iii)					
document why assessments not needed	100	265.223(c)(2)					
reserved		265.224					

WASTE ANALYSIS AND TRIAL TESTS

waste analyses in addition to 265.13 and the circumstances requiring them	IV B	265.225(a)					
		265.225(a)(1)					
		265.225(a)(2)					
		265.225(a)(2)(i)					
		265.225(a)(2)(ii)					

CONSOLIDATED CHECKLIST C6
40 CFR Part 265, Subparts K-R, as of June 30, 2001 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
daily and weekly inspection requirements	IV B	265.226(a)					
		265.226(a)(1)					
		265.226(a)(2)					
if leak detection system required under 265.221(a), record amount of liquid removed from each sump, at least weekly during active life and closure period	100	265.226(b)(1)					
after final cover installed, record amount of liquids at least monthly; when quarterly and semi-annual recording allowed; when monthly recording must resume	100	265.226(b)(2)					
"pump operating level" defined	100	265.226(b)(3)					
reserved		265.227					

CLOSURE AND POST-CLOSURE CARE

closure requirements	IV B,36	265.228(a)					
		265.228(a)(1)					
		265.228(a)(2)					
		265.228(a)(2)(i)					
		265.228(a)(2)(ii)					
		265.228(a)(2)(iii)					
		265.228(a)(2)(iii)(A)					
		265.228(a)(2)(iii)(B)					
		265.228(a)(2)(iii)(C)					
		265.228(a)(2)(iii)(D)					

CONSOLIDATED CHECKLIST C6
40 CFR Part 265, Subparts K-R, as of June 30, 2001 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
		265.228(a)(2)(iii)(E)					
7 post-closure requirements	IV B,36	265.228(b)					
		265.228(b)(1)					
	100	265.228(b)(2)					
	IV B,36,100	265.228(b)(3)					
		265.228(b)(4)					
removed	IV B,36	265.228(c)					

SPECIAL REQUIREMENTS FOR IGNITABLE OR REACTIVE WASTE

conditions for placement in a surface impoundment	*,†15,78	265.229					
waste treatment to specific criteria prior to placement	IV B,†15	265.229(a)					
		265.229(a)(1)					
		265.229(a)(2)					
8 waste management to prevent reaction or ignition	IV B,†15	265.229(b)(1)					
		265.229(b)(2)					
		265.229(b)(3)					
emergency placement	IV B,†15	265.229(c)					

SPECIAL REQUIREMENTS FOR INCOMPATIBLE WASTES

prohibited co-disposal of incompatible wastes or materials unless compliance with 265.17(b)	IV B	265.230					
---	------	---------	--	--	--	--	--

AIR EMISSION STANDARDS

owners/operators subject to applicable requirements of 265, Subparts BB & CC if they place hazardous waste in surface impoundment	154	265.231					
---	-----	---------	--	--	--	--	--

CONSOLIDATED CHECKLIST C6
40 CFR Part 265, Subparts K-R, as of June 30, 2001 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE

SUBPART L - WASTE PILES

APPLICABILITY

storage or treatment facilities using waste piles; alternative management under 265, Subpart N	IV B	265.250					
--	------	---------	--	--	--	--	--

PROTECTION FROM WIND

wind dispersal control	IV B	265.251					
------------------------	------	---------	--	--	--	--	--

WASTE ANALYSIS

additional analyses	IV B	265.252					
---------------------	------	---------	--	--	--	--	--

CONTAINMENT

to control leachate or run-off	IV B	265.253					
place pile on impermeable base with run-on and run-off management	IV B	265.253(a)(1)					
		265.253(a)(2)					
		265.253(a)(3)					
		265.253(a)(4)					
protect pile from precipitation and liquids	IV B	265.253(b)(1)					
		265.253(b)(2)					

9 DESIGN AND OPERATING REQUIREMENTS

waste piles which must install two or more liners and a leachate collection and removal system in accordance with 264.251(c) unless exempt under 264.251(d), (e) or (f); compliance with 265.221(b) procedures; "construction commences" defined under "existing facility"	17 H,100	265.254					
--	----------	---------	--	--	--	--	--

CONSOLIDATED CHECKLIST C6
40 CFR Part 265, Subparts K-R, as of June 30, 2001 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
ACTION LEAKAGE RATES							
proposed action leakage rate to Regional Administrator when submitting 265.254 notice; within 60 days of receipt, Regional Administrator will establish action leakage rate or extend review period; when the proposed rate will be approved	IV B	265.255(a)					
10 Regional Administrator approval of action leakage rate for 265.254 units; definition of action leakage rate; adequate safety margin	100	265.255(b)					
how to determine if action leakage rate has been exceeded; unless another calculation approved, average daily flow rate calculated weekly during active life and closure period	100	265.255(c)					
SPECIAL REQUIREMENTS FOR IGNITABLE OR REACTIVE WASTE							
conditions for placement of ignitable or reactive waste in waste piles	IV B,78	265.256(a)					
	IV B	265.256(a)(1)					
		265.256(a)(2)					
SPECIAL REQUIREMENTS FOR INCOMPATIBLE WASTES							
placement in same pile prohibited unless 265.17(b) is complied with	IV B	265.257(a)					
waste separation or protection	IV B	265.257(b)					

CONSOLIDATED CHECKLIST C6
40 CFR Part 265, Subparts K-R, as of June 30, 2001 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
base decontamination	IV B	265.257(c)					
CLOSURE AND POST-CLOSURE CARE							
closure requirements	IV B	265.258(a)					
post-closure care if not all contaminated subsoils can be practically removed	IV B	265.258(b)					
RESPONSE ACTIONS							
if unit subject to 265.254, then must submit a response action plan to the Regional Administrator when submitting 265.255 proposed action leakage rate; must set forth actions to be taken if action leakage rate is exceeded; content as specified in 265.259(b)	100	265.259(a)					
responsibilities if flow rate into leak detection system exceeds the action leakage rate for any sump:	100	265.259(b)					
notify Regional Administrator in writing within seven days of determination	100	265.259(b)(1)					
preliminary assessment to Regional Administrator within 14 days of determination; what assessment must address	100	265.259(b)(2)					
determine location, size and cause of any leak	100	265.259(b)(3)					
determine 1) whether waste receipt should	100	265.259(b)(4)					

CONSOLIDATED CHECKLIST C6
40 CFR Part 265, Subparts K-R, as of June 30, 2001 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
cease or be curtailed, 2) whether waste should be removed for inspection, repairs, or controls, and 3) whether unit should be closed							
determine short- and longer-term actions to mitigate or stop any leaks	100	265.259(b)(5)					
within 30 days after Regional Administrator notification, submit the results of 265.259(b)(3)-(5) analyses, the results of actions taken and actions planned thereafter, as long as flow rate exceeds action leakage rate, monthly report to Regional Administrator summarizing results of remedial actions taken and actions planned	100	265.259(b)(6)					
how the 265.259(b)(3),(4) & (5) determinations must be made:	100	265.259(c)					
assess the source of liquids and amounts by source	100	265.259(c)(1)(i)					
conduct analyses of liquids in leak detection system to identify sources of liquids and location of leaks, and the hazard and mobility of the liquid	100	265.259(c)(1)(ii)					
assess seriousness of leaks	100	265.259(c)(1)(iii)					
document why	100	265.259(c)(2)					

CONSOLIDATED CHECKLIST C6
40 CFR Part 265, Subparts K-R, as of June 30, 2001 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
assessments not needed							

MONITORING AND INSPECTION

if leak detection system required under 265.254, record amount of liquids removed from each sump, at least weekly during active life and closure period	100	265.260					
---	-----	---------	--	--	--	--	--

SUBPART M - LAND TREATMENT

APPLICABILITY

facilities that treat or dispose of hazardous waste in land treatment units	*	265.270					
reserved		265.271					

GENERAL OPERATING REQUIREMENTS

conditions for land treatment	IV B,†15	265.272(a)					
run-on control	IV B	265.272(b)					
run-off control	IV B	265.272(c)					
maintenance of collection capacity	IV B	265.272(d)					
wind dispersal control	IV B	265.272(e)					

WASTE ANALYSIS

additional analyses	*	265.273					
Toxicity Characteristic	IV B,74	265.273(a)					
listed wastes	IV B	265.273(b)					
heavy metals	IV B	265.273(c)					
reserved		265.274 & 265.275					

FOOD-CHAIN CROPS

CONSOLIDATED CHECKLIST C6
40 CFR Part 265, Subparts K-R, as of June 30, 2001 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
notification if grow food chain crops	IV B	265.276(a)					
prohibition against food chain crops, unless demonstration for 265.273(b) waste constituents	IV B	265.276(b)(1)					
		265.276(b)(1)(i)					
		265.276(b)(1)(ii)					
demonstration information must be kept at facility; what it must be based on; what it must include	IV B	265.276(b)(2)					
		265.276(b)(2)(i)					
		265.276(b)(2)(ii)					
additional requirements for land treatment facility receiving waste with cadmium	IV B	265.276(c)					
requirements if crops are in human food chain	IV B	265.276(c)(1)(i)					
		265.276(c)(1)(ii)					
		265.276(c)(1)(iii)					
		265.276(c)(1)(iii)(A)					
		265.276(c)(1)(iii)(B)					
requirements if crops will be used as animal feed	IV B	265.276(c)(2)(i)					
		265.276(c)(2)(ii)					
		265.276(c)(2)(iii)					
		265.276(c)(2)(iv)					
reserved		265.277					

UNSATURATED ZONE (ZONE OF AERATION) MONITORING

written unsaturated zone monitoring plan required and implemented; what plan must be designed to do	IV B	265.278(a)					
		265.278(a)(1)					
		265.278(a)(2)					
what unsaturated zone	IV B	265.278(b)					

CONSOLIDATED CHECKLIST C6
40 CFR Part 265, Subparts K-R, as of June 30, 2001 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
monitoring must at a minimum include		265.278(b)(1)					
		265.278(b)(2)					
demonstration required to comply with 265.278(a)(1)	IV B	265.278(c)					
		265.278(c)(1)					
		265.278(c)(2)					
		265.278(c)(2)(i)					
		265.278(c)(2)(ii)					
		265.278(c)(3)					
retention of plan; rationale	IV B	265.278(d)					
soil and soil-pore water analysis	IV B	265.278(e)					

RECORDKEEPING

operating record to include waste application dates and rates	IV B	265.279					
---	------	---------	--	--	--	--	--

CLOSURE AND POST-CLOSURE

objectives which must be addressed in closure and post-closure plans	IV B	265.280(a)					
		265.280(a)(1)					
		265.280(a)(2)					
		265.280(a)(3)					
		265.280(a)(4)					
factors needed to meet the closure and post-closure care objectives of 265.280(a)	IV B	265.280(b)					
		265.280(b)(1)					
		265.280(b)(2)					
		265.280(b)(3)					
		265.280(b)(4)					
		265.280(b)(5)					

CONSOLIDATED CHECKLIST C6
40 CFR Part 265, Subparts K-R, as of June 30, 2001 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
		265.280(b)(6)					
		265.280(b)(7)					
methods to address closure/post-closure plan objectives	IV B	265.280(c)					
		265.280(c)(1)					
		265.280(c)(2)					
		265.280(c)(2)(i)					
		265.280(c)(2)(ii)					
		265.280(c)(3)					
closure requirements in addition to Subpart G requirements	IV B	265.280(d)					
		265.280(d)(1)					
		265.280(d)(2)					
		265.280(d)(3)					
		265.280(d)(4)					
certification that facility has been closed in accordance with specifications of approved plan	IV B	265.280(e)					
requirements in addition to 265.117 requirements	IV B	265.280(f)					
		265.280(f)(1)					
		265.280(f)(2)					
		265.280(f)(3)					
		265.280(f)(4)					

SPECIAL REQUIREMENTS FOR IGNITABLE OR REACTIVE WASTE

conditions for applying ignitable or reactive wastes to treatment zone	*,78	265.281					
immediate incorporation of waste into soil	IV B	265.281(a)					
		265.281(a)(1)					

CONSOLIDATED CHECKLIST C6
40 CFR Part 265, Subparts K-R, as of June 30, 2001 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
		265.281(a)(2)					
protective management so no reaction or ignition	IV B	265.281(b)					

SPECIAL REQUIREMENTS FOR INCOMPATIBLE WASTES

conditions for disposal of incompatible wastes or materials	IV B	265.282					
---	------	---------	--	--	--	--	--

SUBPART N - LANDFILLS

APPLICABILITY

apply to hazardous waste disposal facilities using landfills	IV B	265.300					
--	------	---------	--	--	--	--	--

DESIGN AND OPERATING REQUIREMENTS

11 landfills which must install two or more liners and a leachate collection and removal system above and between such liners, and operate in accordance with 264.301(d), (e) or (f); "construction commences" defined under "existing facility"	17 H,100	265.301(a)					
notify Regional Administrator	17 H	265.301(b)					
†,12 when a landfill owner/operator is exempt from 265.301(a)	17 H,100	265.301(c)					
meets RCRA 3004(o)(1)(A)(i) and (o)(5) design standards	100	265.301(c)(1)					
no reason to believe liner is not functioning as designed	100	265.301(c)(2)					

CONSOLIDATED CHECKLIST C6
40 CFR Part 265, Subparts K-R, as of June 30, 2001 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
†,3 Waiver From Double Liner Requirements							
13 waiver for monofills	17 H	265.301(d)					
	17 H,108	265.301(d)(1)					
	17 H	265.301(d)(2)(i)(A)					
		265.301(d)(2)(i)(B)					
		265.301(d)(2)(i)(C)					
		265.301(d)(2)(ii)					
† liner systems installed pursuant to 265.301(a) will be honored, unless leaking	17 H	265.301(e)					
14 run-on control	IV B,100	265.301(f)					
14 run-off control	IV B,100	265.301(g)					
14 collection and holding facilities	IV B,100	265.301(h)					
14 wind dispersal control	IV B,100	265.301(i)					
14 ACTION LEAKAGE RATE							
proposed action leakage rate to Regional Administrator when submitting 265.301(b) notice; within 60 days of receipt Regional Administrator will establish action leakage rate or extend the review period; when the proposed rate will be approved	100	265.302(a)					
15 Regional Administrator approval of action leakage rate for units subject to 265.301(a); definition of action leakage rate; adequate	100	265.302(b)					

CONSOLIDATED CHECKLIST C6
40 CFR Part 265, Subparts K-R, as of June 30, 2001 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
safety margin							
how to determine if action leakage rate has been exceeded; unless another calculation approved, average daily flow rate calculated weekly during active life and closure period, and monthly during post-closure care period	100	265.302(c)					
RESPONSE ACTIONS							
if unit subject to 265.301(a), then must submit a response action plan to the Regional Administrator when submitting 265.302 proposed action leakage rate; must set forth actions to be taken if action leakage rate is exceeded; content as specified in 265.303(b)	100	265.303(a)					
responsibilities if flow rate into leak detection system exceeds the action leakage rate for any sump:	100	265.303(b)					
notify Regional Administrator in writing within seven days of determination	100	265.303(b)(1)					
preliminary assessment to Regional Administrator within 14 days of determination; what assessment must address	100	265.303(b)(2)					
determine location, size and cause of any leak	100	265.303(b)(3)					

CONSOLIDATED CHECKLIST C6
40 CFR Part 265, Subparts K-R, as of June 30, 2001 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
determine 1) whether waste receipt should cease or be curtailed, 2) whether waste should be removed for inspection, repairs, or controls, and 3) whether unit should be closed	100	265.303(b)(4)					
determine short- and longer-term actions to mitigate or stop any leaks	100	265.303(b)(5)					
within 30 days after Regional Administrator notification, submit the results of 265.303(b)(3)-(5) analyses, the results of actions taken and actions planned; thereafter, as long as flow rate exceeds action leakage rate, monthly report to Regional Administrator summarizing results of remedial actions taken and actions planned	100	265.303(b)(6)					
how the 265.303(b)(3)-(5) determinations must be made:	100	265.303(c)					
assess the source of liquids and amounts by source	100	265.303(c)(1)(i)					
conduct analyses of liquids in leak detection system to identify sources of liquids and location of leaks, and the hazard and mobility of the liquid	100	265.303(c)(1)(ii)					
assess seriousness of leaks	100	265.303(c)(1)(iii)					

CONSOLIDATED CHECKLIST C6
40 CFR Part 265, Subparts K-R, as of June 30, 2001 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
document why assessments not needed	100	265.303(c)(2)					

MONITORING AND INSPECTION

if leak detection system required under 265.301(a), record amount of liquids removed from each sump, at least weekly during active life and closure period	100	265.304(a)					
after final cover installed, record amount of liquid at least monthly; when quarterly and semiannual recording allowed; when monthly recording must resume	100	265.304(b)					
definition of "pump operating level"	100	265.304(c)					
reserved		265.305-265.308					

SURVEYING AND RECORDKEEPING

items which must be in operating record	*	265.309					
location and dimensions of landfill to be shown on maps	IV B	265.309(a)					
contents of each cell and location of each hazardous waste type in each cell	IV B	265.309(b)					

CLOSURE AND POST-CLOSURE CARE

cover requirements at final closure	IV B,15	265.310(a)					
		265.310(a)(1)					
		265.310(a)(2)					

CONSOLIDATED CHECKLIST C6
40 CFR Part 265, Subparts K-R, as of June 30, 2001 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
		265.310(a)(3)					
		265.310(a)(4)					
		265.310(a)(5)					
post-closure requirements	IV B,15	265.310(b)					
final cover requirements	IV B,15	265.310(b)(1)					
16 maintain and monitor the leak detection system in accordance with 264.301(c)(3)(iv) & (4), and 265.304(b); comply with other applicable Part 265 leak detection system requirements	100	265.310(b)(2)					
16 ground-water monitoring system requirements	IV B,15,100	265.310(b)(3)					
16 run-on and run-off control requirements	IV B,15,100	265.310(b)(4)					
16 protect and maintain surveyed benchmarks	IV B,15,100	265.310(b)(5)					
17 removed	IV B,15	265.310(c)					
		265.310(d)					
reserved		265.311					

SPECIAL REQUIREMENTS FOR IGNITABLE OR REACTIVE WASTE

placement prohibited unless waste and landfill meet Part 268 requirements and waste is no longer ignitable or reactive and 265.17(b) is complied with	IV B,78	265.312(a)					
	IV B	265.312(a)(1)					
		265.312(a)(2)					
containerized wastes	IV B,78	265.312(b)					

SPECIAL REQUIREMENTS FOR INCOMPATIBLE WASTES

conditions for disposal in landfill	IV B	265.313					
-------------------------------------	------	---------	--	--	--	--	--

CONSOLIDATED CHECKLIST C6
40 CFR Part 265, Subparts K-R, as of June 30, 2001 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
SPECIAL REQUIREMENTS FOR BULK AND CONTAINERIZED LIQUIDS							
bulk liquid disposal prior to May 8, 1985 only if:	IV B,17 F	265.314(a)					
liner and leachate system requirements	IV B	265.314(a)(1)					
liquids must be stabilized	IV B,118	265.314(a)(2)					
18 May 8, 1985 free liquids ban	17 F,118	265.314(b)					
18 conditions for placement of containers holding free liquids in a landfill	IV B,†17 F	265.314(c)					
		265.314(c)(1)					
		265.314(c)(1)(i)					
	IV B,†17 F,18	265.314(c)(1)(ii)					
	IV B,†17 F	265.314(c)(1)(iii)					
		265.314(c)(2)					
		265.314(c)(3)					
265.314(c)(4)							
19 paint filter test	16,†17 F,25,126	265.314(d)					
18 compliance date	IV B,†17 F	265.314(e)					
20 sorbents used to treat free liquids disposed in landfills must be nonbiodegradable; definition of nonbiodegradable sorbents	118	265.314(f)					
20,21 nonbiodegradable sorbents	118	265.314(f)(1)					
		265.314(f)(1)(i)					
		265.314(f)(1)(ii)					

CONSOLIDATED CHECKLIST C6
40 CFR Part 265, Subparts K-R, as of June 30, 2001 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
		265.314(f)(1)(iii)					
20 tests for nonbiodegradable sorbents	118	265.314(f)(2)					
ASTM Method G21-70 (1984a)	118	265.314(f)(2)(i)					
ASTM Method G22-76 (1984b)	118,†145	265.314(f)(2)(ii)					
† OECD test 301B	145	265.314(f)(2)(iii)					
20 nonhazardous liquids ban effective November 8, 1985; what must be demonstrated to Regional Administrator for exemption	17 F,118	265.314(g)					
†,20 only reasonable available alternative	17 F,118	265.314(g)(1)					
†,20 not a risk of contaminating underground source of drinking water	17 F,118	265.314(g)(2)					
22 SPECIAL REQUIREMENTS FOR CONTAINERS							
requirements if containers not very small	15	265.315					
at least 90% full	IV B,15	265.315(a)					
crushed, shredded or reduced in volume before burial	IV B,15	265.315(b)					
DISPOSAL OF SMALL CONTAINERS OF HAZARDOUS WASTE IN OVERPACKED DRUMS (LAB PACKS)							
conditions for placement of overpacked drums in landfills	*	265.316					
inside container requirements including	IV B	265.316(a)					

CONSOLIDATED CHECKLIST C6
40 CFR Part 265, Subparts K-R, as of June 30, 2001 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV-ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
DOT requirements							
overpacking--DOT requirements; outer container	IV B,118	265.316(b)					
23 absorbent material	IV B,118	265.316(c)					
incompatible wastes	IV B	265.316(d)					
reactive wastes	IV B	265.316(e)					
†,24 disposal in compliance with Part 268; fiber drums allowed for incineration of lab packs	78	265.316(f)					

SUBPART O - INCINERATORS

APPLICABILITY

regulations apply to owners and operators of hazardous waste incinerators (as defined in 260.10), except as 265.1 provides otherwise)	IV B,13,19,85	265.340(a)					
†, 25, 26 integration of the MACT standards	182	265.340(b) intro					
†, 25, 26 except as provided by 265.340(b)(2) and (b)(3), part 265 standards no longer apply when compliance with MACT requirements of part 63, subpart EEE is demonstrated by conducting performance test and submitting NOC under 63.1207(j) & 63.1210(b)	182, 197	265.340(b)(1)					
†, 25, 26 following requirements continue to apply even when MACT compliance is demonstrated: 265.351	182	265.340(b)(2)					

CONSOLIDATED CHECKLIST C6
40 CFR Part 265, Subparts K-R, as of June 30, 2001 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
and applicable requirements of 265, subparts A-H, BB & CC							
when complying with 270.235(a)(1)(i) to minimize emissions of toxic compounds from startup and shutdown, 265.345 remains in effect	197	265.340(b)(3)					
25,26 exemptions	IV B,†182	265.340(c)					
		265.340(c)(1)					
		265.340(c)(2)					
		265.340(c)(3)					
		265.340(c)(4)					

WASTE ANALYSIS

analyze wastes not previously burned	*	265.341					
factors which at a minimum must be analyzed	IV B	265.341(a)					
		265.341(b)					
		265.341(c)					
reserved		265.342-265.344					

GENERAL OPERATING REQUIREMENTS

during start-up and shut-down, limit waste feed to steady state	IV B	265.345					
reserved		265.346					

MONITORING AND INSPECTIONS

monitoring and inspection requirement	*	265.347					
15-minute monitoring of combustion and emission control instruments;	IV B	265.347(a)					

CONSOLIDATED CHECKLIST C6
40 CFR Part 265, Subparts K-R, as of June 30, 2001 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
appropriate corrections							
daily inspection of incinerator and associated equipment	IV B	265.347(b)					
reserved		265.348-265.350					
CLOSURE							
remove all hazardous wastes and residues	IV B	265.351					
INTERIM STATUS INCINERATORS BURNING PARTICULAR HAZARDOUS WASTES							
certification to burn dioxins	14	265.352(a)					
certification standards and procedures	14	265.352(b)					
		265.352(b)(1)					
		265.352(b)(2)					
		265.352(b)(3)					
SUBPART P - THERMAL TREATMENT							
OTHER THERMAL TREATMENT							
treatment in other than enclosed devices using controlled flame combustion; which subparts the unit is subject to	IV B,13,94	265.370					
reserved		265.371-265.372					
GENERAL OPERATING REQUIREMENTS							
waste feed limited to steady state conditions of operation, unless process is non-continuous	IV B	265.373					
reserved		265.374					
WASTE ANALYSIS							
analyze wastes not	*	265.375					

CONSOLIDATED CHECKLIST C6
40 CFR Part 265, Subparts K-R, as of June 30, 2001 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
previously treated to establish steady state or other appropriate operating conditions							
factors which at a minimum must be analyzed	IV B	265.375(a)					
		265.375(b)					
		265.375(c)					
reserved		265.376					

MONITORING AND INSPECTIONS

items requiring monitoring and inspections	IV B	265.377(a)					
		265.377(a)(1)					
		265.377(a)(2)					
		265.377(a)(3)					
reserved		265.378-265.380					

CLOSURE

remove all hazardous waste and residues	IV B	265.381					
---	------	---------	--	--	--	--	--

OPEN BURNING; WASTE EXPLOSIVES

prohibition on open burning of hazardous wastes except for open burning and detonation of waste explosives; definitions	IV B	265.382					
---	------	---------	--	--	--	--	--

INTERIM STATUS THERMAL TREATMENT DEVICES BURNING PARTICULAR HAZARDOUS WASTE

certification to burn dioxins	14	265.383(a)					
certification standards and procedures	14	265.383(b)					
		265.383(b)(1)					
		265.383(b)(2)					
		265.383(b)(3)					

CONSOLIDATED CHECKLIST C6
40 CFR Part 265, Subparts K-R, as of June 30, 2001 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
SUBPART Q - CHEMICAL, PHYSICAL, AND BIOLOGICAL TREATMENT							

APPLICABILITY

applies to owners/operators of facilities which treat by chemical, physical, or biological methods in other than tanks, surface impoundments and land treatment facilities, except as 265.1 provides otherwise	IV B	265.400					
--	------	---------	--	--	--	--	--

GENERAL OPERATING REQUIREMENTS

comply with 265.17(b)	IV B	265.401(a)					
placement of wastes	IV B	265.401(b)					
cut-off for continuous feed	IV B	265.401(c)					

WASTE ANALYSIS AND TRIAL TESTS

requirements in addition to 265.13	IV B	265.402(a)					
		265.402(a)(1)					
		265.402(a)(2)					
		265.402(a)(2)(i)					
		265.402(a)(2)(ii)					

INSPECTIONS

items to be inspected and frequency of inspection	IV B	265.403(a)					
		265.403(a)(1)					
		265.403(a)(2)					
		265.403(a)(3)					
		265.403(a)(4)					

CLOSURE

remove all hazardous	IV B	265.404					
----------------------	------	---------	--	--	--	--	--

CONSOLIDATED CHECKLIST C6
40 CFR Part 265, Subparts K-R, as of June 30, 2001 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
wastes and residues							

SPECIAL REQUIREMENTS FOR IGNITABLE OR REACTIVE WASTE

ignitable or reactive waste must not be placed in treatment process or equipment unless certain conditions are met	IV B	265.405(a)					
		265.405(a)(1)					
		265.405(a)(2)					

SPECIAL REQUIREMENTS FOR INCOMPATIBLE WASTES

no treatment of incompatible wastes unless 265.17(b) compliance	IV B	265.406(a)					
no hazardous waste placed in unwashed treatment equipment unless 265.17(b) compliance	IV B	265.406(b)					

SUBPART R - UNDERGROUND INJECTION

APPLICABILITY

except as 265.1 provides otherwise:	*	265.430					
owner/operator exclusion	IV B	265.430(a)					
Class I and Class IV wells	IV B	265.430(b)					

CONSOLIDATED CHECKLIST C6
40 CFR Part 265, Subparts K-R, as of June 30, 2001 (cont'd)

-
- 1 Paragraph 265.221(a) was originally introduced by Revision Checklist 17H and was completely revised by Revision Checklist 100.
- 2 Paragraph 265.221(c) was originally introduced by Revision Checklist 17H. It was revised and restructured to include subparagraphs (c)(1)&(2) by Revision Checklist 100.
- 3 Citations within the double lines are optional, but if a State chooses to modify its program to adopt requirements equivalent to these provisions, it must adopt such requirements as a unit rather than by individual provision. In other words, all or none of these provisions must be included in a State's code. Subsequent changes to these provisions may or may not be optional for States that have adopted the original unit of provisions. An optional sign appears in front of the subsequent revision checklist number(s) if such subsequent changes are less stringent than or reduce the scope of the original requirements.
- 4 Revision Checklist 100 transferred the text of 265.222(a)&(b) as originally introduced by Checklist IV B to 265.221 and redesignated them as 265.221(f)&(g). Then, 265.222 was amended by Revision Checklist 100 by revising the section heading and adding paragraphs (a),(b)&(c).
- 5 Note that there are two sections designated as 265.223 in this consolidated checklist and in the CFR beginning with the July 1, 1992 edition. Revision Checklist 100 (57 FR 3462; January 29, 1992) added a new 265.223 ("Response actions") when 265.223 ("Containment systems") was already in the code as introduced by Checklist IV B.
- 6 Revision Checklist 100 amended this section by revising the section heading and adding a new paragraph (b).
- 7 Revision Checklist 100 amended this section by redesignating the original paragraphs 265.228(b)(2)&(3) as 265.228(b)(3)&(4) and adding a new paragraph (b)(2). Note that there is an error in the Federal Register addressed by Revision Checklist 100; the internal reference "265.221(c)(2)(iv)" should be "264.221(c)(2)(iv)."
- 8 There is a printing error in the CFR beginning with the July 1, 1992 edition. Paragraph 265.229(b) should not contain a subparagraph (4). Refer to the July 1, 1991 CFR for the correct version of this paragraph.
- 9 This section was completely revised by Revision Checklist 100, including the section heading.
- 10 Note that there is a typographical error in the Federal Register addressed by Revision Checklist 100 (57 FR 3462; January 29, 1992); "surface impoundment" should be "waste pile."
- 11 Paragraph 265.301(a) was originally introduced by Revision Checklist 17H and was completely revised by Revision Checklist 100.
- 12 Paragraph 265.301(c) was originally introduced by Revision Checklist 17H. It was revised and restructured to include subparagraphs (c)(1) and (c)(2) by Revision Checklist 100.

CONSOLIDATED CHECKLIST C6
40 CFR Part 265, Subparts K-R, as of June 30, 2001 (cont'd)

- 13 There are several errors in the Federal Register addressed by Revision Checklist 108 (57 FR 30657; July 10, 1992) at 265.301(d)(1). First, "such waste does not" should read "such wastes do not" and "261.4 of this chapter" should be "261.24 of this chapter" as found in the July 15, 1985 Federal Register at 50 FR 28750 (Revision Checklist 17 H) and in the 1992 CFR. Second, "Waste Number" should be "Waste Numbers".
- 14 Revision Checklist 100 transferred the text of 265.302(a),(b),(c)&(d) as originally introduced by Checklist IV B to 265.301 and redesignated them as 265.301(f),(g),(h)&(i). Section 265.302 was then amended by Revision Checklist 100 by revising the section heading and adding paragraphs (a),(b)&(c).
- 15 Note that there is a typographical error in the Federal Register addressed by Revision Checklist 100 (57 FR 3462; January 29, 1992); "surface impoundment" should be "landfill."
- 16 Revision Checklist 100 amended this section by redesignating the original 265.310(b)(2),(3)&(4) as 265.310(b)(3),(4)&(5) and adding a new paragraph (b)(2).
- 17 Paragraphs 265.310(c)&(d) were removed by the final rule addressed by Revision Checklist 15; however, these removals were not included on Revision Checklist 15.
- 18 Revision Checklist 17 F made extensive changes to this section of code, including redesignating the original paragraphs 265.314(b)&(c) as 265.314(c)&(e) and adding a new paragraph 265.314(b).
- 19 This provision was originally introduced to the code by the April 30, 1985 rule addressed by Revision Checklist 16. The paragraph was inadvertently reserved by the July 15, 1985 rule addressed by Revision Checklist 17 F. Revision Checklist 25 corrected the July 15, 1985 language by removing the "reserved" reference to paragraph (d) so that the paragraph would remain as originally promulgated. The provision has been subsequently revised by Revision Checklist 126.
- 20 Revision Checklist 17 F (50 FR 28702; July 15, 1985) introduced the original 265.314(f), 265.314(f)(1) and 265.314(f)(2) into the code. Revision Checklist 118 (57 FR 54452; November 18, 1992) redesignated those provisions as 265.314(g), 265.314(g)(1), and 265.314(g)(2) and introduced a new 265.314(f) and subparagraphs.
- 21 Note that there is a typographical error in the November 18, 1992 Federal Register article (57 FR 54452, Revision Checklist 118); at 265.314(f)(1)(ii), "polysobutylene" should be "polyisobutylene." This error is reflected in the CFR beginning with the July 1, 1993, edition.
- 22 Revision Checklist 15 completely revised the regulations at 264.315.
- 23 Note that there is a typographical error in the November 18, 1992 Federal Register article (57 FR 54452, Revision Checklist 118); "container's" should be "containers,".
- 24 This provision is part of the optional requirements for the alternate treatment standards for lab packs under the Third

CONSOLIDATED CHECKLIST C6
40 CFR Part 265, Subparts K-R, as of June 30, 2001 (cont'd)

Third Scheduled Waste Rule. If adopted, all of the requirements (i.e., 264.316(f), 265.316(f), 268.7(a)(7), 268.7(a)(8), 268.42(c), 268.42(c)(1)-(4), and Appendices IV and V to Part 268) related to these alternate treatment standards must be adopted.

- 25 States that adopt the optional exemption at 265.340(b)(1), must adopt all revisions to 265.340.
- 26 Revision Checklist 182 (64 FR 65828; September 30, 1999) redesignated old 265.340(b) as 265.340(c) and added a new 265.340(b).